

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

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WIN AND SON, INC. and HUAN YI YU,  Plaintiffs,  v. CITY OF PHILADELPHIA et al., Defendants.	: : : : : : :	<b>CIVIL ACTION No. 13-cv-5977</b>
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**ORDER**

This 15th day of April, 2016, upon consideration of the Motions for Summary Judgment filed by Plaintiffs, Defendant USA Environmental Management, Inc. (“USAEM”), and Defendant Pedro Palmer Construction, Inc. (“PPC”), and the responses and replies thereto, it is hereby **ORDERED** as follows:

1. Plaintiffs’ Motion for Summary Judgment (Doc. 93) is **DENIED** as to Counts VII and IX.
2. Defendant USAEM’s Motion for Summary Judgment (Doc. 94) is **GRANTED** as it pertains to Counts I, II, VIII, and IX, but **DENIED** as it pertains to Counts VII.
3. Defendant PPC’s Motion for Summary Judgment as to All Claims (Doc. 99) is **GRANTED** as it pertains to Counts I, II, VIII, and IX, but **DENIED** as it pertains to Count VII. Defendant PPC’s Motion for Summary Judgment Based on the Statute of Limitations (Doc. 100) is also **DENIED**.

/s/ Gerald Austin McHugh  
United States District Court Judge